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09/913,457	10/03/2001	Siamak Naghian	4925-133PUS	2451

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/913,457	Applicant(s) NAGHIAN, SIAMAK
	Examiner Huy Q Phan	Art Unit 2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 October 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10* is/are rejected.

7)☒ Claim(s) *8* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *08/14/2001*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 8 is objected to because of the following informalities: on line 2, "ajdusting should be changed to - -adjusting- -.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-4, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yun et al. (US-5,886,988) in view of Meidan (US-5,276,907).

Regarding claim 1, Yun et al. disclose in figure 7, a method for admission control in a cellular telecommunication system, characterized in that the method comprises steps, in which:

- a bearer request is received (col. 5, lines 26-59),

- current load is checked (col. 7, lines 11-12),

- a result load estimate is calculated based at least on the current load (col. 7, line 13) and said bearer request (col. 7, lines 12-15), and

- if said result load estimate is lower than a first predefined limit said bearer request is admitted (col. 7, lines 15-16), transmission resources are allocated according to said request, and the resulting load is checked.

But, Yun et al. do not particularly disclose the step if said result load estimate is larger than said first predefined limit, releasing of transmission resources is attempted. However in analogous art, Meidan teaches the step if said result load estimate is larger than said first predefined limit (col. 8, lines 37-39), releasing of transmission resources is attempted (col. 8, line 43-col. 9, line 5). Since, Yun et al. and Meidan are related to the admission control in wireless communications system; therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Yun et al. by specifically having the step if said result load estimate is larger than said first predefined limit, releasing of transmission resources is attempted as taught by Meidan for purpose of increasing the chances of making connection in wireless communication by adjusting resource's conditions in order to improve the quality and reliability of wireless communications service.

Regarding claim 3, Yun et al. and Meidan disclose a method as recited in the rejection of claim 1. Yun et al. further disclose the system being characterized in that after said step of attempting, the current load is checked (col. 22, lines 40-41), a result load estimate is calculated based at least on the current load and the bearer request (col. 22, lines 41-42), and if said result load estimate is lower than a first predefined limit

the bearer request is admitted, transmission resources are allocated according to said request, and the resulting load is checked (fig. 5 and col. 53-62).

Regarding claims 2 and 4, Yun et al. and Meidan disclose a method as recited in the rejection of claims 1 and 3 respectively. Meidan further teaches the step of response to said checking of the resulting load (col. 8, lines 37-39), if the resulting load is larger than said first predetermined limit (col. 8, lines 37-39), the parameters of at least one bearer are modified in order to bring the resulting load under said first predetermined limit (col. 8, line 43-col. 9, line 5).

Regarding claim 7, Yun et al. and Meidan disclose a method as recited in the rejection of claim 1. Meidan further teaches the method being characterized in that said step of attempting comprises the step of adjusting handover control parameters of the cellular network (col. 8, line 60-col. 9, line 5).

Regarding claim 8, Yun et al. and Meidan disclose a method as recited in the rejection of claim 1. Meidan further teaches the step of attempting comprising the step of adjusting power control parameters of the cellular network (col. 8, lines 45-48).

4. Claims 5, 6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yun et al. in view of Meidan and further in view of Scholefield et al. (US-6,216,006).

Regarding claim 5, Yun et al. and Meidan disclose a method as recited in the rejection of claim 1. But, Yun et al. and Meidan fail to expressly disclose the method being characterized in that if said result load estimate is over said first predefined limit, the bearer request is modified for lowering the amount of resources required by the request, current load is checked, a result load estimate is calculated based at least on the current load and said modified bearer request, and if said result load estimate is lower than a first predefined limit said modified bearer request is admitted, transmission resources are allocated according to said request, and the resulting load is checked.

However in analogous art, Scholefield et al. teach the method being characterized in that if said result load estimate is over said first predefined limit (col. 4, lines 55-56), the bearer request is modified for lowering the amount of resources required by the request (col. 4, lines 56-61), current load is checked (col. 4, lines 61-63 and col. 4, lines 52-54), a result load estimate is calculated based at least on the current load and said modified bearer request (col. 4, lines 49-51), and if said result load estimate is lower than a first predefined limit said modified bearer request is admitted (col. 4, lines 53-54), transmission resources are allocated according to said request, and the resulting load is checked (col. 4, lines 49-63). Since, Yun et al., Meidan and Scholefield et al. are related to the admission control in wireless communications system; therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Yun et al. and Meidan by specifically having the method being characterized in that if said result load estimate is

over said first predefined limit, the bearer request is modified for lowering the amount of resources required by the request, current load is checked, a result load estimate is calculated based at least on the current load and said modified bearer request, and if said result load estimate is lower than a first predefined limit said modified bearer request is admitted, transmission resources are allocated according to said request, and the resulting load is checked as taught by Scholefield et al. for purpose of increasing the chances of making connection by adjusting resource's conditions in order to improve the quality and reliability of wireless communications service.

Regarding claim 6, Yun et al., Meidan and Scholefield et al. disclose a method as recited in the rejection of claim 5. Scholefield et al. further disclose the method being characterized in that as a response to said checking of the resulting load, if the resulting load is larger than said first predetermined limit, the parameters of at least one bearer are modified in order to bring the resulting load under said first predetermined limit (col. 4, lines 55-63).

Regarding claim 9, Yun et al. and Meidan disclose a method as recited in the rejection of claim 1. But, Yun et al. and Meidan fail to expressly disclose the method being characterized in that said step of attempting comprises the step of adjusting load control parameters of the cellular network. However, Scholefield et al. teach the method being characterized in that said step of attempting comprises the step of adjusting load control parameters of the cellular network (col. 4, lines 49-63)

5. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yun et al. in view of Meidan and further in view of Chheda (US-6,266,529).

Regarding claim 10, Yun et al. and Meidan disclose a method as recited in the rejection of claim 1. But, Yun et al. and Meidan do not particularly show the step of attempting comprises the step adjusting of soft handover and soft capacity margins of the cellular network. However in analogous art, Chheda teaches the step of attempting comprises the step adjusting of soft handover and soft capacity margins of the cellular network (col. 9, line 51-col. 10, line 15). Since, Yun et al., Meidan and Chheda are related to wireless communications system; therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Yun et al. and Meidan by specifically having the step of attempting comprises the step adjusting of soft handover and soft capacity margins of the cellular network as taught by Chheda for purpose of increasing the chances of making connection by applying the soft handoff technique in order to improve the quality and reliability of wireless communications service.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Antonio et al. (US-6,603,745) disclose a method for overload control.

b) Salonaho et al. (US-6,317,600) disclose a method for load control.

c) Corbett (US-6,253,087) discloses a method for improved traffic management in wireless telecommunication systems

d) Ahlenius et al. (US-5,859,839) disclose a method for selecting channel power in a wireless communication.

e) Shin et al. (US-5,687,171) disclose a method for allocating radio channel.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy Q Phan whose telephone number is 703-305-9007. The examiner can normally be reached on 8AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Urban F Edward can be reached on 703-305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Huy Phan

Apr. 30, 2004

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